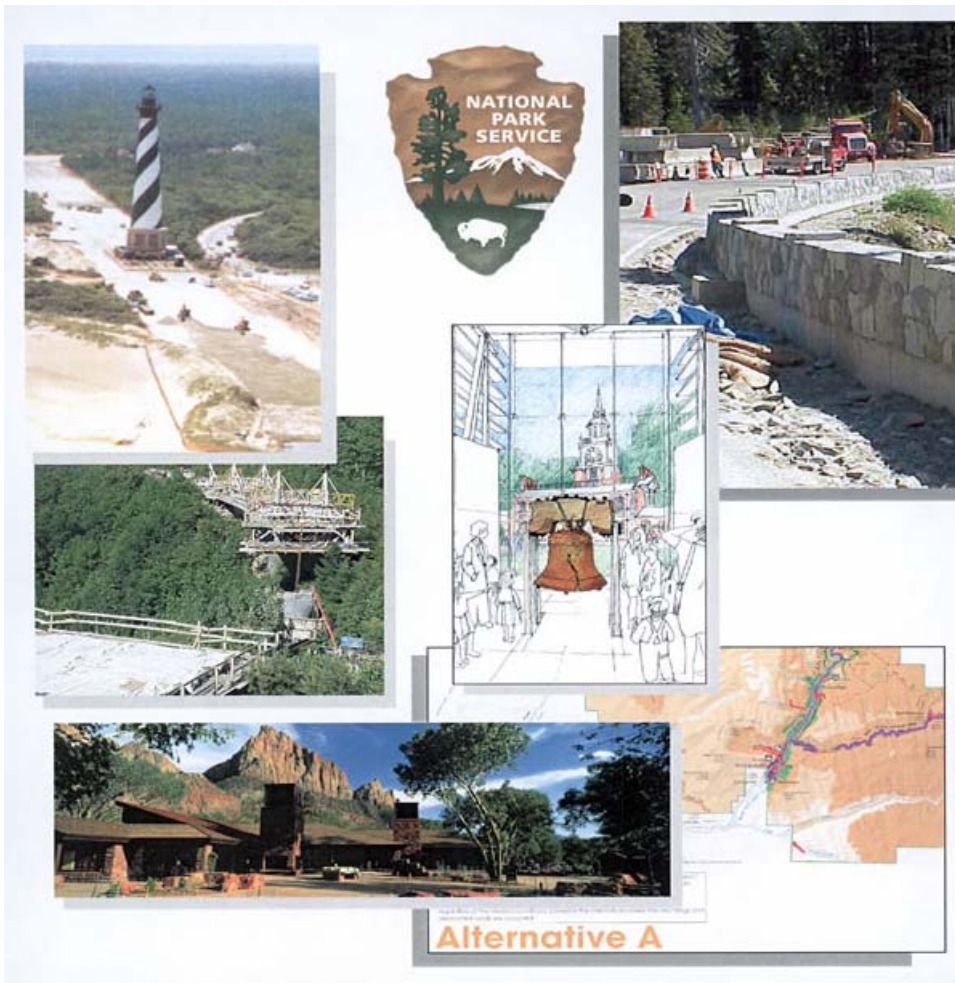


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Negotiation of Task Order

Jon Holbrook

Mike Giller

Denver Service Center
Planning, Design, and Construction Projects



Roles and Responsibilities

- PM, Assistant PM, or Technical Specialist and Contract Specialist
 - Prepare Negotiation Strategy
 - Conduct discussions with A/E
 - Discuss scope with A/E to ensure that there is a mutually clear understanding of the work to be performed
- Contracting Officer
 - If negotiations are unsuccessful, the RPP is cancelled and the process is started over with another A/E

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Roles and Responsibilities

- Contract Specialist
 - If negotiations are successful, prepares and signs a memorandum
 - Technical expert to confirm
- Contract Specialist, PM, Assistant PM, or Technical Specialist
 - Revises final scope of services to reflect negotiations
 - PM will make assignment
- Contracting Officer
 - Signs Task Order



Proven Negotiation Strategies Preserve and Build Relationships Between All Project Stakeholders

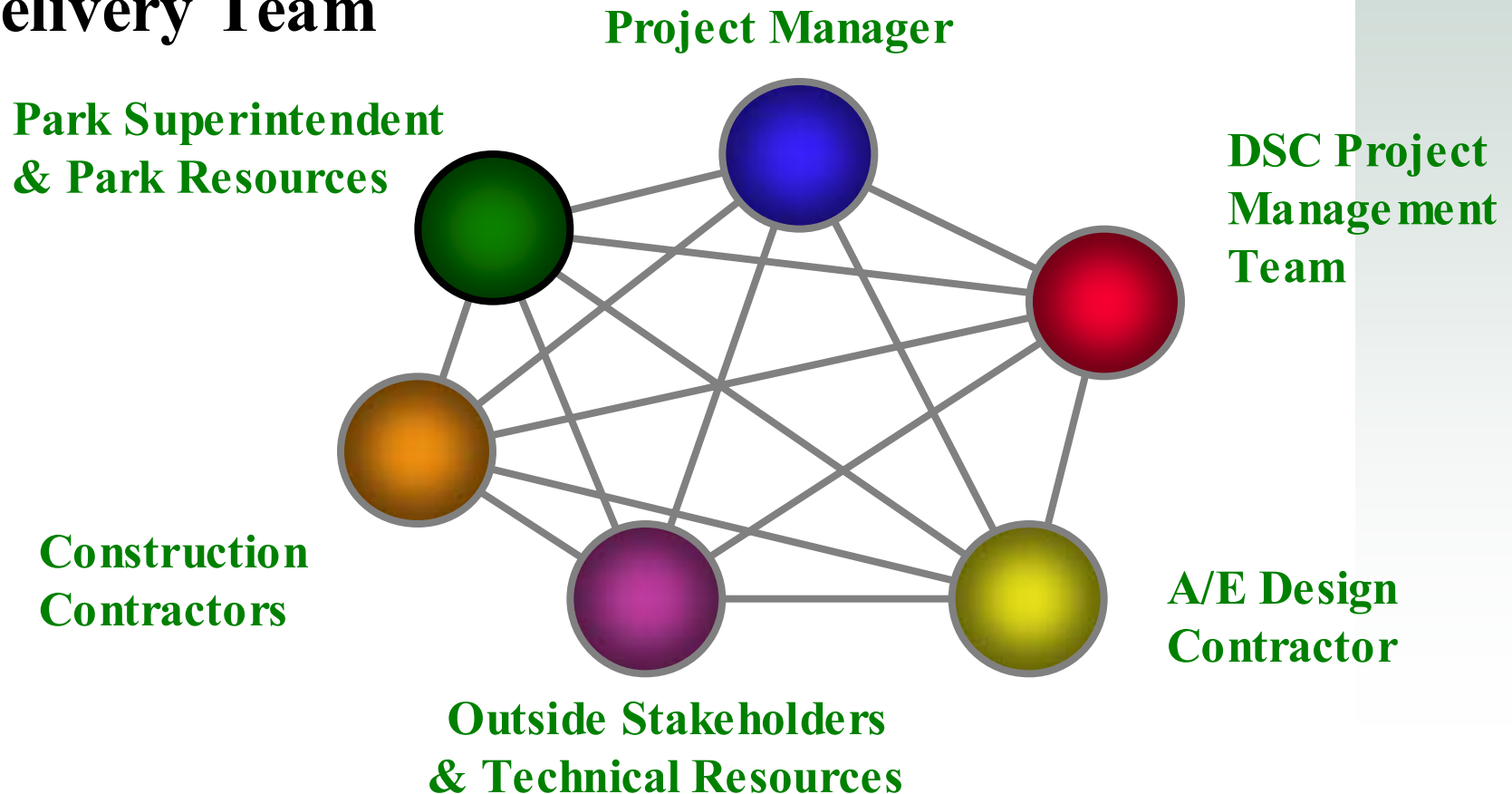
*Keep in mind that A/E's are an
extension of DSC Staff*

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A Project Manager's Success Is Based On Continuous Negotiations With The Entire Delivery Team





Principled Negotiations Produce Wise Outcomes Efficiently and Amicably

- People:*** Separate the people from the problem – preserve relationships
- Interests:*** Focus on interests, not positions – get to the “why” behind the views
- Options:*** Generate a variety of possibilities before deciding what to do
- Criteria:*** Insist that the results be based on some objective standard

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Old School Approaches to Negotiations Causes Unfortunate Outcomes in Today's World

Old School Approaches → Unfortunate Outcomes

- | | |
|--|--|
| <input type="checkbox"/> Negotiators Are Viewed As Adversaries | ✓ <i>Adversaries Do Not Make Best Business Colleagues</i> |
| <input type="checkbox"/> Negotiations Focus Unduly on Money Issues | ✓ <i>Bargaining Over Money Diverts Attention From Issues That Are Usually More Important</i> |
| <input type="checkbox"/> Negotiations Are Far Less Creative Than They Could Be | ✓ <i>Creative, Win-Win Alternatives Are Never Explored</i> |



Successful Negotiations Can Be Achieved Using Four Powerful Strategies:

Using



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**Create
Win - Win**

Creating Win-Win Outcomes is Cooperative and Preserves Relationships

Choices of Human Interaction

Win-Win

Seeks Mutual Benefit



Lose-Lose

The Same As No-Win



Win-Loose

Authoritarian Approach



Win

Is Self Centered – Scarcity Mentality



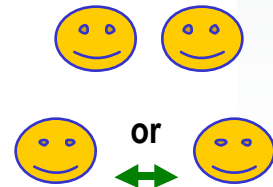
Lose-Win

Is Quick to Please



Win-Win or No Deal

Allows Each Party to Say No



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Create Win - Win

Win-Win Agreements Include Five Elements:

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- 1. Desired Results** Specify and clarify project objectives, work scope and desired outcomes
- 2. Guidelines** Specify boundaries and deadlines for accomplishing the results
- 3. Resources** List the human, financial, technical, or organizational resources available for accomplishing the desired results.
- 4. Accountability** Identify the standards and methods of measurement for progress and accomplishment of work.
- 5. Consequences** Determine the results of achieving or not achieving win-win.



Create Win - Win

Win-Win Requires Preparation Before Negotiations

- 1) Establish the Negotiation Meeting Agenda
- 2) Understand and Analyze the A/E's Offer
- 3) Understand and Compare the NPS Estimate with the A/E Offer
- 4) Review the A/E Proposal Highlighting Areas of Uncertainty
- 5) Identify Areas of Perceived/Certain Project Risks
- 6) Create a "Bottom Line" Limit for NPS

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Create Win - Win

During Negotiations, Maintain A Win-Win Approach

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- 1) Underscore the Importance of Win-Win at the Beginning of the Negotiations Meeting
- 2) Listen to Understand and Be Understood by Presenting Ideas Clearly, Specifically, Visually and in the Context of Understanding the A/E Offer and the NPS Needs
- 3) Have the Courage to Speak Forthrightly
- 4) Think Win-Win and Search for Opportunities to Create Additional Approaches of Mutual Interest
- 5) Above all Else, Value and Build the Relationships.

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Listen To Understand

Energy and Attention is Required to Listen First To Understand

Levels of Listening (Low to High)

Ignoring

Making no effort to listen

Pretend Listening

Making believe or giving the appearance you are listening

Selective Listening

Hearing only the parts of the conversation that interest you

✓ Attentive Listening

Paying attention and focusing on what the speaker says and comparing that to your own experiences

✓ Empathic Listening

Listening and responding with both the heart and mind to understand the speaker's words, intent, and feelings. Listening through their paradigm.



Listen To Understand

Asking Open-Ended Questions Can Increase Understanding

Ask open ended questions to
expand understanding of interests
using words like:

- What
- When
- Where
- How
- Who
- Why



Be Understood

Be Understood By Presenting Ideas Clearly, Specifically and Visually

Present the requirements of NPS as specifically as possible using the following techniques:

- ☐ Review Proposal Requests and Scope
- ☐ If Possible, Show Pictures of the Planned Project, the Current Conditions and/or Site Conditions
- ☐ Give/Review the Site History and Reasons for the Project
- ☐ Review the Historical, Natural, Environmental, etc. Special Requirements for the Project

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Focus On Interests

Focus On The Interests And Not On The Positions

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Keep the focus on the interests of each party instead of the positions. Build on common ground without arguing over positions.

- ☐ Arguing over positions produces unwise agreements because they lack understanding of interests.
- ☐ Arguing over positions is inefficient.
- ☐ Arguing over positions endangers ongoing relationships.
- ☐ Arguing over money diverts attention from issues that are usually more important.

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Success Is Based On Continuous Negotiations With The Entire Delivery Team

- ✓ Create Win-Win Outcomes or No Deal
- ✓ Listen To Understand
- ✓ Speak To Be Understood
- ✓ Focus on Interests, Not Positions



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Exercise.....